## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

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ALBERT YALE, et al.,	)
Plaintiffs, vs.	) ) Civil Action No. 3:15-cv-403-RJC-DSC
COMMUNITYONE BANK, N.A.,	)
Defendant.	)
	)

## MEMORANDUM AND ORDER

**THIS MATTER** is before the Court on Defendant's "Motion for Sanctions" (document #51), and the parties' associated briefs and exhibits.

This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1), and is now ripe for the Court's consideration.

The Court has carefully examined the record, the parties' arguments and the applicable authorities. For the reasons cited in Defendant's Motion and supporting briefs, the Motion is granted, as ordered below.

## NOW THEREFORE IT IS ORDERED:

- 1. Defendant's "Motion for Sanctions" (document #51) is **GRANTED.**
- 2. Plaintiffs' Counsel Jonathan Andres and CCR Data Systems are ordered to pay Defendant \$6,068.94, which represents a portion of the time and expenses defense counsel incurred for travel and attending the deposition of CCR Data Systems and preparing the Motion for Sanctions. Payment shall be made within ten days of the date of this Order.

3. CCR Data Systems is ordered to appear for its deposition at the Charlotte office of McGuireWoods LLP beginning at 9:00 a.m. or 1:30 p.m., on one of the following dates: February 8, 9, 12, 13, 14, or 15, 2018. On or before February 1, 2018, Plaintiffs' counsel shall inform defense counsel of the above specific dates and times that CCR Data Systems' deposition will begin.

4. The Clerk is directed to send copies of this Memorandum and Order to counsel for the parties; and to the Honorable Robert J. Conrad.

SO ORDERED.

Signed: January 25, 2018

David S. Cayer

United States Magistrate Judge